

REMARKS

In view of the foregoing, claims 1 and 4 have been amended. Claims 1-4 remain pending and under examination. No new matter is being presented, and approval of the amended claims is respectfully requested.

Rejections under 35 U.S.C. §112

On page 2 of the Action, the Examiner rejects claims 1-4 as failing to comply with the written description requirement. Specifically, the Examiner states that “a plurality of first operation units” and “a plurality of second operation units” are not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention.

It appears that the Examiner may have misunderstood certain features of the claimed invention and/or the written description. For instance, “a plurality of first operation units” may refer to a side key 203 and a five-way key 205, according to an embodiment. “A plurality of second operation units” may refer to an operation key cluster 104, according to an embodiment. As recited in claim 1, for example, the plurality of first operation units are operable regardless of whether the case is opened or closed, and the plurality of second operation units are operable only when the case is opened. These features are clearly provided in Fig. 2 and the corresponding written description of the present application.

Similarly, the Examiner states that “sub-unit” as recited in claim 3 is not supported by the specification. Claim 3 recites a sub-screen operable to display information with the case in a closed state, wherein the first operation units include an operation sub-unit provided on a same surface as the sub-screen and a side key provided on a main body lateral surface. Thus an operation sub-unit may clearly refer to a five-way key 205, for example, according to an embodiment. (See Fig. 2).

Because of the apparent misunderstanding of the claimed features, Applicants respectfully request withdrawal of the finality of the outstanding Action, and reconsideration of the claims in light of the foregoing explanation.

Rejections under 35 U.S.C. §103(a)

Claims 1-4 stand rejected as being unpatentable over Hansen (U.S. Patent No. 6,370,362) in view of A5306ST Instructions Manual. The rejections are respectfully traversed and reconsideration is requested. The following is a comparison between embodiments of the present invention and the cited references.

Independent claim 1, as clarified herein, recites an operation control unit operable, when the judging unit has judged in the affirmative, to enable processing associated with operation of at least one of the first operation units by temporarily canceling the locking function.

That is, as explained in paragraphs [0021]-[0022] of the present specification, by holding down the side key 203 when the lock function is enabled, operation of the five-key 205 is enabled temporarily (e.g., between a time at which the side key 203 is held down when the lock function is enabled and a time at which a given time period has elapsed from the last input of the five-way key 205). By temporarily canceling the locking function, embodiments of the present invention are capable of preventing operational errors due to the lock function cancellation.

In contrast, the cited portion of Hansen discloses that when a controller detects that the slide has been closed, the display changes to the second display and pressing the left soft key 8 will cause the keys to be locked or enabled. If the user presses the right soft key 8 or does not do anything for more than e.g. three seconds, the keys will be in the unlocked (enabled) state. Thus, Hansen appears to merely disclose temporarily *locking* the keys. (See column 7, lines 5-12).

Therefore, it is respectfully submitted that independent claims 1 and 4 patentably distinguish over Hansen. It is further submitted that the Instruction Manual fails to cure the

deficiencies of Hansen described herein. Claims 2 and 3 inherit the patentability of claim 1 and, thus, it is respectfully submitted that all claims 1-4 patentably distinguish over the cited art.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542007000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 16, 2009

Respectfully submitted,

Electronic signature: /Michael P. Stanley/

Michael P. Stanley

Registration No.: 58,523

MORRISON & FOERSTER LLP

12531 High Bluff Drive, Suite 100

San Diego, California 92130-2040

(858) 314-7795